IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

(1) Writ Petition No. 4194 of 2005

Digambar Ranganath Patil ..Petitioner

vs.

1. State of Maharashtra & Ors. ..Respondents

Shri G.S.Godbole for petitioner.
Shri C.R.Sonawane, A.G.P. for respondent nos. 1 to 4
Shri B.A.Desai, Addl.Solicitor General with Shri S.C.Dhawan and Shri T.J.Pandian for respondent no.5.

(2) Writ Petition No.4439 of 2005

Manik Dattatray Gaikwad ..Petitioner

Vs.

1. State of Maharashtra
and others ..Respondents/

Shri G.S.Godbole for petitioner.
Shri C.R.Sonawane, A.G.P. for respondent nos. 1 to 4
Shri B.A.Desai, Addl.Solicitor General with Shri S.C.Dhawan and Shri T.J.Pandian for respondent no.5.

CORAM: V.G.PALSHIKAR,Acg.C.J.&
D.B.BHOSALE J.
24th NOVEMBER, 2005

P.C.

. Both these petitions are filed by the persons whose lands have been acquired. The basic contention is that though the award seems to have been passed there is no notice as contemplated by section 12 sub-section (2) of the Land

Acquisition Act, 1892. That being the position, the limitation for filing an application under sec.18 would start on receipt of notice under sec.12(2) of the Act. Presently no injury is caused to the petitioner no such notice having been served upon the petitioner. Keeping the right of the petitioner open to be challenged before the appropriate forum after receipt of the notice under sec.12(2) of the Act intact with the petitioner, both the petitions are dismissed.